

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

JOSEPH ARTHUR MASON

§

VS.

§

CIVIL ACTION NO. 1:05cv496

WARDEN MARTIN

§

MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Joseph Arthur Mason, proceeding *pro se*, filed the above-styled petition for writ of habeas corpus. The court referred the matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration pursuant to applicable orders of this court.

The respondent filed a motion asking that the petition be dismissed as barred by the applicable statute of limitation. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning the motion. The magistrate judge recommends the motion be granted.

The court has received and considered the Report and Recommendation, along with the records, pleadings and all available evidence. No objections were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. The respondent's motion to dismiss is **GRANTED**. A final judgment will be entered dismissing this petition.

So **ORDERED** and **SIGNED** this **15** day of **November, 2006**.



Ron Clark, United States District Judge

